

The Interim

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Click on the Events Calendar
for up-to-date information
on committee meetings.

Members of 64th Legislature to Gather for Caucuses, Orientation Activities

Montana's returning and newly elected legislators will gather in Helena in mid-November to choose leaders and take part in orientation activities.

At 10 a.m. on Nov. 12, legislators will meet in groups according to their party and chamber to select leaders for the upcoming session. Senate and House Republicans will caucus separately in third-floor meeting rooms, while Senate and House Democrats will caucus separately in first-floor meeting rooms. Legislators will have a chance to meet each other before the caucuses, during breakfasts that will start at 8 a.m. and be organized for the members of each house and party.

All legislators are invited to an orientation session following the caucuses. The orientation is designed to introduce new lawmakers to the legislative process and to build on the skills of returning legislators.

Orientation runs from 1 p.m. on Nov. 12 to noon on Nov. 14. Legislators will learn about matters ranging from the bill drafting and committee processes to ways to manage their time and workload during the 90 days the Legislature will meet in 2015.

Throughout orientation, veteran and new legislators will meet periodically in smaller groups with legislative staff to discuss in more detail matters such as requesting and developing draft legislation and participating in committee meetings. These "mentor teams" are made up of veteran and new legislators and representatives of the Legislative Services Division, Legislative Fiscal Division, and Legislative Audit Division. The staff members continue to serve as a touchpoint for new legislators as they navigate their way around the process.

Legislators will have the opportunity to attend additional training in December that will focus on the nuts and bolts of committee meetings and the state budget process, as well as legislative rules, decorum, and ethics. The newly named presiding officers of standing legislative committees will meet on Dec. 3 for training on their roles during the session, while training on the other topics is open to all legislators on Dec. 4. The Joint, House, and Senate Rules committees also will meet on Dec. 3.

Calendar of Upcoming Events

Significant dates for the remainder of the interim may be found on the legislative Web site, www.leg.mt.gov, by clicking on the “2014 Legislator Orientation & Training” picture on the home page or by clicking on “Legislators” in the menu on the left-hand side of the home page. From there, select “Orientation Materials” from the drop-down menu. The subsequent page contains links to the schedules for the upcoming training sessions.

Legislative Audit Committee Sets December Meeting Date

The Legislative Audit Committee will meet Dec. 1-2 in Helena to review recent audits of state programs and services. The Legislative Audit Division anticipates reporting on financial-compliance audits of the following agencies and programs:

- Board of Public Education
- Commissioner of Political Practices
- Department of Administration
- Department of Corrections
- Department of Environmental Quality
- Department of Justice
- Department of Military Affairs
- Department of Natural Resources and Conservation
- Department of Revenue
- Governor’s Office
- Judicial Branch
- Montana University System Group Benefits (Contract Audit)
- Office of State Auditor
- Office of Public Defender
- Public Service Regulation
- School of the Deaf and Blind

The division also will present a report on a performance audit of drug treatment courts.

The Legislative Audit Division provides independent and objective evaluations of the stewardship, performance, and cost of government policies, programs, and operations. The division is responsible for conducting financial, performance, and information system audits of state agencies or their

programs, including the Montana university system. For more information, call the division at 406-444-3122 or visit www.leg.mt.gov/audit.

To report suspected improper acts committed by state agencies, departments, or employees, call the division fraud hotline at 800-222-4446 or 444-4446 in Helena.

Next Meeting

The committee meets next on Dec. 1-2 in Room 172 of the Capitol in Helena. For more information on the committee’s activities and upcoming meeting, visit the committee’s Web site or contact Legislative Auditor Tori Hunthausen.

Division Web Site: www.leg.mt.gov/audit

Division Staff: 406-444-3122

Council Schedules Brief Meeting during November Orientation Session

The Legislative Council has tentatively scheduled its last meeting of the year for Nov. 13, during Legislator Orientation.

Agenda items will include:

- a review of a 351 land transfer with Madison County by the Montana Heritage Commission;
- approval of the so-called “feed bill,” which will be introduced in the 2015 legislative session to pay for the costs of the session;
- an update on the statutorily required K-12 funding study; and
- soliciting sponsorship for the Code Commissioner bill, which is introduced every session to make nonsubstantive changes to the Montana Code Annotated.

The meeting is tentatively scheduled to begin at 11:15 a.m. in Room 317 of the Capitol. For more information on the council’s activities and upcoming meeting or regarding caucuses and orientation, visit the council’s Web site or contact Susan Byorth Fox, committee staff.

Committee Web Site: www.leg.mt.gov/legcouncil

Committee Staff: sfox@mt.gov or 406-444-3066

RTIC to Adopt Revenue Estimate

The Revenue and Transportation Interim Committee will meet Nov. 20, primarily to adopt a revenue estimate and pre-introduce it by Dec. 1, as required by law.

The revenue-estimating agenda items will begin at 9 a.m. with presentations from the Legislative Fiscal Division and the Office of Budget and Program Planning. The committee will act on the information in the afternoon.

The Department of Revenue also will present updated reappraisal data to the committee. This information will help the committee and the 2015 Legislature prepare for the upcoming reappraisal cycle.

The committee also will take final action on three bills. The committee already requested a bill to revise penalty and interest provisions for state taxes. Staff will present an updated draft that incorporates changes requested by stakeholders. In addition, final draft language will be available for a committee-requested bill to allow industrial property taxpayers to appeal directly to the State Tax Appeal Board. The committee also will review a bill draft requested at the September meeting to repeal the property tax abatements for gray water systems.

Other agenda items will include the presentation of a property tax relief audit, an update on the elderly homeowner and renter credit, review and adoption of the committee's final report, and an administrative rule review.

Next Meeting

The committee meets next at 8 a.m. on Nov. 20 in Room 137 of the Capitol in Helena. For more information on the committee's activities and upcoming meeting, visit the committee's Web site or contact Megan Moore, committee staff.

Committee Web Site: www.leg.mt.gov/rtic

Committee Staff: memoore@mt.gov, 406-444-4496

SAVA to Discuss Pension Plans, Elections, Outreach to Veterans

The State Administration and Veterans' Affairs Interim Committee's agenda for Nov. 17 will cover public employee pension plans, election laws, and veteran outreach.

The committee will begin the day by scrutinizing the results of the Fiscal Year 2014 actuarial valuations for the public employee retirement systems.

The 2013 Legislature increased funding to the Teachers' Retirement System (TRS) and the Public Employees' Retirement System Defined Benefit Plan (PERS-DB). Both plans became fiscally unsound after incurring significant investment losses during severe market downturns in 2001 and 2008. The FY 2014 valuations show that the plans are back on track and considered actuarially sound.

Although the Sheriffs' Retirement System (SRS) and the Game Wardens' and Peace Officers' Retirement System

(GWPORS) were also actuarially unsound in 2013, the Legislature did not address the funding in those systems. Thus, the funding status for these plans will be an issue for the 2015 Legislature.

The table below compares the actuarial valuations of the four retirement plans.

The first column for each valuation shows the funded ratio, which is the percentage of the plan's current benefit obligations that are covered by current assets. The second column shows the amortization period, or how long it will take with current contributions and projected investment income to pay off the benefit obligations that cannot be covered by current assets. An amortization period of 30 years or less is considered actuarially sound funding.

	FY 2012 Valuation (prior to the 2013 Session)		FY 2014 Valuation	
	Funded Ratio	Amortization Period	Funded Ratio	Amortization Period
PERS-DB	68%	does not amortize	74%	29 years
TRS	59%	does not amortize	65%	28 years
SRS	74%	does not amortize	81%	does not amortize
GWPORS	76%	does not amortize	84%	does not amortize

The funding bills passed by the 2013 Legislature for PERS-DB and TRS reduced the Guaranteed Annual Benefit Adjustment (GABA) for retirees and current employees. However, lawsuits were filed to challenge the change, and a district court ruling has put the GABA reductions on hold pending the outcome of the lawsuits. The FY 2014 actuarial valuations do not reflect a GABA reduction for retirees or for employees hired before July 1, 2013.

There are four other public employee defined benefit plans: the Highway Patrol Officers' Retirement System, the Municipal Police Officers' Retirement System, the Firefighters' Unified Retirement System, and the Judges' Retirement System. Each of these systems remains actuarially sound.

Also during the Nov. 17 meeting, the committee will discuss and adopt pension policy principles to help guide legislators as they make decisions on pension bills during the 2015 session. Adoption of pension policy principles is one of the committee's statutory duties.

The committee also will finalize two committee bills revising contributions in PERS. LC 144 proposes to remove a provision that would terminate certain contributions and allow for the contributions to be adjusted up or down depending on the actuarial funding status of the PERS-DB plan. LC 332 would revise the allocation of employer contributions in the PERS defined contribution plan.

Also on Tap

The committee also will finalize LC 143, generally revising election laws. Senate Joint Resolution 14 requested an examination of how to combine primary and school elections.

However, a subcommittee found that numerous inconsistencies exist in the current laws for primary, general, local government, special purpose district, and school elections. Members chose to set aside further consideration of combining primary and school elections and to concentrate on general clean up, consolidation, and standardization — where feasible — of provisions governing election administration.

Finally, the committee will consider whether to recommend legislation promoting more statewide coordination for and community outreach to military veterans who may not join traditional organizations for veterans.

Next Meeting

The committee meets next at 8:30 a.m. on Nov. 17 in Room 137 of the Capitol in Helena. For more information on the committee's activities and upcoming meeting, please visit the committee's Web site or contact Sheri Scurr, committee staff.

Committee Web Site: www.leg.mt.gov/sava

Committee Staff: sscurr@mt.gov or 444-3596

Online Training Available for Using Bill-Tracking System

The Legislative Services Division has created a library of almost 40 instructional videos that can be viewed and listened to on the Internet by anyone wanting to learn more about navigating the online system that allows the public and state agencies to track legislation.

The Legislative Automated Workflow System, known as LAWS, provides timely information before, during, and after a legislative session, including:

- an up-to-date status for each introduced bill and pending bill draft request;
- the text of introduced bills and completed bill drafts;
- hearing schedules for House and Senate committees; and
- agendas for the House and Senate floor sessions.

Users also may set up Preference Accounts, allowing them to track lists of specific bills as that legislation makes its way through the process. Preference Accounts also allow the user to receive e-mail notices when committee hearings are scheduled for the bills selected for that account.

The LAWS Web site for the 2015 session can be found at www.leg.mt.gov/laws.htm. It also can be accessed from the legislative branch homepage, www.leg.mt.gov, by selecting "Bills" in the menu on the left-side of the page, and then selecting "2015 LAWS" from the drop-down menu.

The link to the LAWS Instructional Video Library is found at the bottom of the LAWS Session Information page, which can be found at [http://laws.leg.mt.gov/legprd/LAW0200W\\$.startup](http://laws.leg.mt.gov/legprd/LAW0200W$.startup) or by going to the legislative home page and selecting "Session" from the menu on the left-hand side of the page. From there, click on "2015 Session" in the drop-down menu and select the LAWS link on the subsequent page.

The instructional videos range from about 90 seconds to six minutes, depending on the complexity of the subject. They cover everything from basic navigation to advanced maintenance of preference lists. The videos are free and allow users to learn about LAWS at their own pace.

Bill Draft Requests Subject to Certain Deadlines Before and During Session

Although the 2015 Legislature doesn't convene until Jan. 5, legislators began asking for bills just days after the 2013 legislative session adjourned. But the time for unlimited bill draft requests will soon be gone, replaced with a much more rigid schedule for requesting bills.

Until Election Day, only two types of legislators may submit bill draft requests: senators who are in the middle of their four-year terms and representatives who are unopposed in their re-election races. Interim committees also may submit requests, either for committee bills or for bills requested by state agencies.

By Oct. 23, individual lawmakers, legislative committees, and state agencies already had requested 547 bill drafts. However, the drafting process begins in earnest after Nov. 4, when newly elected legislators may also begin asking for bills.

At the same time, some important dates and rules come into play. The dates apply to bill requests from legislators, interim legislative committees, and state agencies. Even experienced legislators may be caught off guard if they don't pay close attention to the following dates contained in legislative rules for requesting bills, both before and during the session.

Pre-Session Deadlines

- **Nov. 15:** A bill draft requested by a state agency loses its priority in the drafting queue if the agency doesn't provide the draft legislation to legislative staff.
- **Dec. 5:** Until 5 p.m. on Dec. 5, each legislator may request an unlimited number of bills or resolutions for

introduction in the 2015 session. After 5 p.m., legislators are limited to seven bill draft requests.

- **Dec. 15:** Bills requested by an agency or an interim committee must be pre-introduced by 5 p.m. Bill drafts that fail to meet this deadline cannot be introduced.
- **Jan. 5:** At least five of a legislator's seven remaining bill drafts must be requested before the Legislature convenes at noon for its 2015 session.

Session Deadlines

The following deadlines are established in the Joint Rules adopted by the 2013 Legislature. The 2015 Legislature may change the rules after members convene in January. However, until a change is made, the following deadlines will be in effect for bill requests made after Jan. 5.

- **Jan. 19:** Requests for a general bill or resolution must be submitted by 5 p.m. on the 12th legislative day, which currently is scheduled for Jan. 19. A general bill is one that does not appropriate money, affect state revenues, request an interim legislative study, or implement provisions of a general appropriations act.
- **Jan. 24:** Revenue bills must be requested by 5 p.m. on the 17th legislative day, which would fall on Jan. 24 under the current session schedule.
- **Feb. 16:** General bills or resolutions requested by a standing committee must be requested by 5 p.m. on the 36th legislative day, currently scheduled for Feb. 16.
- **March 19:** A resolution requesting an interim study must be requested by the 60th legislative day, currently scheduled for March 19.
- **March 21:** A bill proposing a referendum or a committee revenue bill must be requested by 5 p.m. on the 62nd legislative day, currently scheduled for March 21.

There is no deadline for requesting appropriations bills.

The session-related deadlines for bill draft requests may be adjusted during the session if the Legislature changes the session calendar that has been adopted by the Legislative Council. If that occurs, the session calendar will be revised to reflect the new deadlines and will be posted on the Legislature's Web site, www.leg.mt.gov, on the page containing general session information. That page can be reached by clicking on "Session" in the menu on the left-hand side of the home page and then selecting "2015 Session" from the drop-down menu.

Legislative Committees Propose Dozens of Bills for 2015 Session

When the 2015 Legislature convenes in January, members will take up at more than four dozen bills recommended by interim and administrative committees over the past 18 months.

The bills stem from studies and other work undertaken by the legislative committees.

The table below lists the bills approved to date by the committees. The Energy and Telecommunications Interim Committee did not propose any committee legislation. Meanwhile, four committees had yet to hold their final meetings by late October and may approve additional bills. A final list of committee bills will be printed in the December issue of *The Interim*.

The bills listed below will be assigned formal bill numbers as they are introduced later this year. They can be tracked in the Legislative Automated Workflow System (LAWS) throughout the session using either the introduced bill numbers or the LC numbers under which they were requested. The online system is available at [http://laws.leg.mt.gov/legprd/law0203w\\$.startup?P_SESS=20151](http://laws.leg.mt.gov/legprd/law0203w$.startup?P_SESS=20151).

Children, Families, Health, and Human Services Interim Committee	
LC 334	Appropriate money for youth mental health crisis diversion pilot projects
LC 335	Allow sharing of certain health care information with law enforcement
LC 336	Allow electronic prescribing of controlled substances prescriptions
LC 337	Appropriate money for crisis and transition technicians
LC 338	Appropriate money for new or expanded mental health crisis intervention services
LC 339	Appropriate money for additional secure psychiatric detention beds
LC 340	Revise and extend the prescription drug registry fee
LC 341	Appropriate money for a forensic community corrections facility
LC 342	Appropriate money for state-run transitional mental health group homes
LC 347	Appropriate money for short-term voluntary mental health treatment
Economic Affairs Interim Committee	
LC 252	Exempt raw honey from license requirements for farmers' market sales
LC 410	Repeal certain statutory advisory councils

LC 411	Require workers' compensation insurers to provide loss information
LC 412	Authorize temporary appointment in vacancy of workers' compensation judge
LC 413	Revise workers' compensation impairment level for vocational rehabilitation benefits
Education and Local Government Interim Committee	
LC406	Establish all-hazard incident management teams and provide funding authority
LC448	Generally revise public records laws
Environmental Quality Council	
LC 376	Revise laws governing the Montana Heritage Commission
LC 385	Revise laws related to hunting and fishing licenses
LC 386	Study state assumption of federal dredge and fill permitting
Law and Justice Interim Committee	
LC 227	Allow a husband to restore original name as part of dissolution filing
LC 228	Clarify the process for amending a parenting plan when one parent relocates
LC 301	Revise Montana Administrative Procedures Act provisions related to the Board of Pardons and Parole
LC 356	Allow the Department of Corrections to set minimum amount of inmate earnings saved
LC 357	Revise laws relating to housing for offenders
LC 358	Require parole hearings to be video recorded
LC 359	Clarify that the governor may change the presiding officer of the Parole Board
LC 360	Revise parole criteria laws
LC 361	Revise executive clemency laws
LC 362	Adjust debt limit allowed for summary dissolution
LC 363	Provide for a decree of dissolution without a hearing when uncontested
LC 364	Study the Crossroads Correctional Center and state oversight of that facility
Legislative Council	
LC 500	Code Commissioner bill
LC 501	Appropriate money for the 2015 legislative session
Legislative Finance Committee	
LC 478	Revise budget amendment laws
LC 479	Revise budget comparison laws
LC 496	Revise laws related to legal representation in dependent neglect cases

Revenue and Transportation Interim Committee	
LC 123	Revise laws related to the Multistate Tax Compact Advisory Council
LC 254	Revise tax appeal laws
LC 255	Revise the time frame for calculation of the entitlement share growth rate
LC 374	Revise laws related to the Agricultural Land Valuation Advisory Committee
LC 375	Revise Department of Revenue uniform dispute review laws
LC 377	Revise certain reports to the Revenue and Transportation Interim Committee
LC 511	Revise administration of taxes
State Administration and Veterans' Affairs Interim Committee	
LC 145	Provide rulemaking authority for the Secretary of State to establish certain fees
LC 146	Revise what must be disclosed on certain election materials
LC 303	Revise appointment process for the Commissioner of Political Practices
LC 304	Revise oversight authority of certain interim committees for certain agencies
State-Tribal Relations Interim Committee	
LC 349	Remove the term "half breed" from signage and geological features in Montana
LC 461	Joint resolution to support the Confederated Salish Kootenai Tribes water compact process

Several committees are holding final meetings in November and December and may request additional bills related to their studies, audits, or oversight responsibilities. SAVA also will decide whether to give final approval to:

- LC 143, to generally revise election laws;
- LC 144, to provide adjustable contribution rates in the Public Employees' Retirement System; and
- LC 145, to revise the allocation of employer contributions in the PERS Defined Contribution Retirement Plan.

The Back Page

The Future of Montana's Past at Madison Buffalo Jump State Park

By Hope Stockwell

Research Analyst

Legislative Environmental Policy Office

A few years ago, Madison Buffalo Jump State Park teetered on the chopping block. Now, a University of Montana professor calls it one of the top 10 archaeological sites in Montana.

"Madison Buffalo Jump is one of the most pristine buffalo jumps in the state," says Doug MacDonald, chairman of UM's Department of Anthropology.

MacDonald and a group of graduate students surveyed the 640-acre site, located south of Interstate 90 between Three Forks and Manhattan, nearly foot-by-foot during a two-week field school in May.

While others have investigated portions of Madison Buffalo Jump before, theirs was the first inventory of the entire site.

"There's very little disturbance," says MacDonald. "Those drive lines up above are amazingly pristine and hopefully we'll be able to do some more work out there."

MacDonald's assessment adds complexity to the ongoing discussion of how to prioritize management of Madison Buffalo Jump and Montana's 54 other state parks, given limited resources and a growing list of wants and needs to maintain and improve the sites and provide better customer service.

In early 2012, the Department of Fish, Wildlife and Parks considered closing Madison Buffalo Jump. A 2010 legislative audit found that because the site sits on state trust land, FWP should pay annual land use license fees (currently valued at about \$4,300) to the Department of Natural Resources and Conservation.¹



Photo by Hope Stockwell.

Additionally, the state parks system has another buffalo jump in its portfolio on land that it owns outright. First Peoples Buffalo Jump State Park near Ulm may be the largest bison cliff jump in North America. It's listed in the National Register of Historic Places and now is under consideration by the National Park Service as a National Historic Landmark.

FWP Parks Division Administrator Chas Van Genderen says MacDonald's characterization of Madison Buffalo Jump surprised him somewhat.

"I'd long heard it was a significant site," says Van Genderen. "I was not aware it was among the top ten in the state of Montana. Now that's one professional's point of view, but nonetheless I believe it's the kind of information that will help us move forward with hard discussions about the site in the future."

Van Genderen says the idea of shuttering Madison Buffalo Jump is no longer on the table. A public outcry from hundreds of people led to additional interest in the site, he said. The Lee and Donna Metcalf Charitable Foundation stepped



A group of visitors at Madison Buffalo Jump descends from an interpretive kiosk toward the main jump. Photo by Hope Stockwell.

¹ According to the October 2010 DNRC financial-compliance audit, Madison Buffalo Jump State Park was acquired in 1966 through land exchanges between two private citizens and Common School and Montana Tech trust lands. Senate Bill 22 (1965) gave the State Board of Land Commissioners authority to acquire land which it had "determined is of archeological, historic or scientific interest and should be preserved for the benefit of the people." According to House State Administration Committee minutes for Feb. 15, 1965, the Legislature had acquisition of Madison Buffalo Jump specifically in mind. One of the bill's sponsors, Sen. Carl Lehrkind, said "local people would like to see (it) preserved and possibly, in the future, it could be made into a state park." Lehrkind reported the two involved landowners were willing to trade the site, as "the land is not good for much of anything...most of it is a cliff." As of the audit, the trusts had never been compensated by FWP for use of the land. The audit says statute and the Montana Constitution require compensation that is equal to "fair market value." FWP made its first lease payment to DNRC for Madison Buffalo Jump in 2013.

forward to temporarily pay the land use license fee owed to DNRC. More school groups are frequenting the park. And the UM field school finally happened in spring 2014, after being proposed by MacDonald a few years ago.

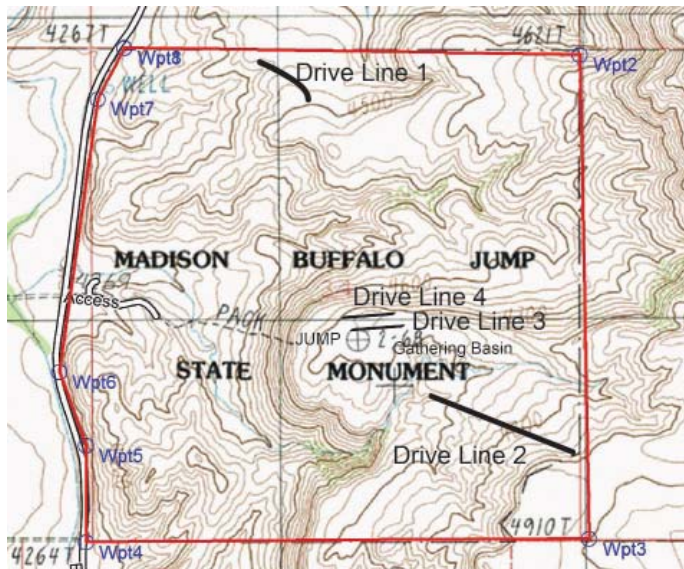
Just What's at the Jump?

A buffalo jump is a cliff formation over which Native Americans stampeded vast herds of buffalo to harvest for food, clothing, shelter, and provisions.² At least, that's the standard explanation of such sites. The field school findings appear to have revealed a more nuanced, complex strategy at Madison Buffalo Jump.

"It seems like an unusual setup for a buffalo jump in the sense that it's not an ideal, flat gathering basin," says MacDonald. "Look up at the top of a buffalo jump and you're supposed to see a nice broad, flat, open expanse that the bison would be driven straight off of, like at First Peoples."

MacDonald says the terrain at Madison Buffalo Jump is undulating, with steep ravines and draws that held water. That would have disrupted any long-term push of bison across the area.

MacDonald and his students found a couple of potential killing points. At one, however, they didn't see any evidence that buffalo were actually driven over the spot.



Location of Madison Buffalo Jump drive lines. Courtesy Doug MacDonald.

"Clearly (Native Americans) were pushing the bison over the major jump itself," says MacDonald. But he thinks they were probably using a lot of the other landscape opportunities above the jump in other ways, such as gathering the bison, holding them for a period of time, and then bringing them to the top of the jump and pushing them off the cliff.

MacDonald and his students recorded more than 100 cairns, or stone piles, marking three and possibly four drive lines used to funnel bison to jump locations.³

"The drive line that extends all the way to the far eastern edge of the project area is really amazing to me because the cairns there are pretty substantial," says MacDonald.

That's Drive Line 2, which MacDonald describes in his draft findings report as "instrumental to the success of the drive effort. Without a drive line at this location, bison would likely have avoided the drive land/gathering basin by fleeing to the south."

Sara Scott, manager of the Heritage Resources Program for Montana State Parks, says the work done by MacDonald and his students shows that the Native Americans who used Madison Buffalo Jump had an elaborate, complex strategy for building the drive lines.

"This helped enhance the cultural complexity of people," says Scott. "Folks were having to work together and strategize as they never had before. We can now look at what was the mental process for how people drove those animals over the cliff."

Other telling archaeological features and artifacts at the site include bison bone concentrations below the face of



Cairns of Drive Line 2. Each orange flag marks a cairn. Courtesy of Doug MacDonald.

² Montana State Parks Web site, Madison Buffalo Jump State Park, accessed Sept. 18, 2014, available at <http://stateparks.mt.gov/madison-buffalo-jump/>.

³ The fourth drive line may be an historic/modern fence line remnant. Wooden posts are placed intermittently near this drive line, according to a draft summary of MacDonald's findings, and may be associated with the rebuilding of an historic fence when property boundaries were remapped in the early to mid-1900s. The sequence of cairns at this location would have forced bison over a steep edge, although no bones were found below. However, MacDonald's draft summary says if the location is old enough, bone may not be visible on the ground surface.

the jump and in a camp area in the creek valley west of the jump; lithic artifact concentrations above the jump, marking prehistoric stone tool making sites; 72 stone circles; and two hunting blinds.

MacDonald says his team collected 15 artifacts that were produced out of volcanic rocks. X-ray fluorescence studies show the rock for these artifacts came from at least four sources — Obsidian Cliff in Yellowstone National Park, south of Mammoth Hot Springs; Cashman Dacite, north of Ennis; Bear Gulch Obsidian on the Montana/Idaho line; and a yet unknown dacite source, probably somewhere in the Madison Valley.

“That gives us an idea about the territoriality of the people using the jump,” says MacDonald. “It’s not unexpected. When most people think about use of Madison Buffalo Jump, they think about Shoshone as the primary users. This sort of fits in with that. It gives more depth to the puzzle, a little more assurance.”

Scott says the findings also point to the interaction of groups of people from different areas.

“Clearly they were meeting at confluences of rivers... and then trading things,” says Scott. “We tend to look at archaeological work as being pretty static, instead of ‘Wow, how did they get from Point A to Point B?’ and ‘Who did they meet along the way?’ People are starting to think more about that.”

MacDonald says other artifacts may also help sharpen the picture of when Madison Buffalo Jump was used. A piece of bison pelvis that MacDonald says was found in “very good archaeological context” in a blowout, or eroded area, along a trail below the jump was carbon dated to 1650 A.D.

“This basically shows that Native Americans were buffalo hunting at the site right up until Euro-American contact,” says MacDonald.

Obsidian taken from the site in the 1970s was dated to 500 to

1,000 years ago. But MacDonald says a projectile point found this year dates back to the Archaic period of human occupation in the Great Plains — 6,000 to 8,000 years ago.

“That’s way older than we thought,” says Scott. “More at a time when atlatls were used.”

There may be years’ worth of studies to be done at Madison Buffalo Jump.

“If we were to get some more radiocarbon dates through excavation, that would allow you more firmly to plant in time when people were there,” says Scott. “It isn’t just the Jump is a one-time event. Whoa, this was used a thousand years ago and then 2,500 years ago, and then 4,000 years ago. Look at the continual use over time and document that. That would be of archaeological interest.”

What to Do with All this History?

What happens at Madison Buffalo Jump depends on the State Parks Division and how it prioritizes the use of its resources.

Montana State Parks already has collections of artifacts in various locations that it can’t display. For example, First Peoples Buffalo Jump State Park was excavated by Montana State University between 1992 and 1995, but the artifacts are still being analyzed by MSU. Meanwhile, UM is housing more than 30,000 artifacts from Pictograph Cave State Park near Billings.

Professor MacDonald would like to come back to Madison Buffalo Jump and investigate further, especially in areas that appear to have produced stone tools — his specialty. But, he recognizes the curation dilemma.

“Where do you put things when it’s all said and done? This site could generate tremendous volumes of stuff, artifacts, bone, stone tools,” he said. “We’d really have to sit down and plan.”

Investing in interpretive displays is also a big question.

“How to use the artifacts to get the biggest bang for your buck in terms of information conveyance,” says Scott. “The displays themselves, the signs, what the sign says, it’s a lot of work and is very costly. We might develop an interpretive display and then it gets stale five or 10 years later and yet we’d invested thousands of dollars in it. So it gets a little tricky.”

Tough Questions

Van Genderen says questions facing the park system at Madison Buffalo Jump are how and where it might be developed further, how to best protect the archaeological resources, and how much staff time and operational funding should be put into the site.



Parks Division Administrator Chas Van Genderen (center), inspects items found in the blow out where Professor Doug MacDonald's (right) team found a bison pelvis. Park Manager Dave Andrus (left). Photo by Hope Stockwell.



Chas Van Genderen and Sara Scott climb a trail to the top of Madison Buffalo Jump. Photo by Hope Stockwell.

Madison Buffalo Jump is classified as a primitive park in statute, which means its development and improvement are limited. But Van Genderen says it could be a good idea to build a road from the park's entrance to the interpretive kiosk, which sits on a hill between the parking lot and the jump itself. Now, it can be difficult for the disabled and seniors to access, and the public can't see the kiosk from the highway.

"The resource itself is significant but if in fact people drive in and say

'So what, there's nothing here,' we're not helping people to appreciate the significance of the site," says Van Genderen. "I believe we can improve the relevance of the site and help people get that 'aha' moment to say 'Holy cow, this is amazing.'"

The trails at Madison Buffalo Jump, most of which have been created by people visiting the park, need to be improved. Van Genderen says they're too steep and are causing erosion, including the blowout where MacDonald's team found the bison pelvis. But it could easily cost six figures to improve the trails in order to meet the requirements of the Americans with Disabilities Act and meet other trail grade standards.

Currently, Madison Buffalo Jump is allocated \$4,442 per year for labor, which amounts to less than 200 hours annually. It also has a \$2,500 operating budget. That's a small portion of the parks system's annual budget, which totals \$8.55 million for the current fiscal year.

But the other 54 parks in the system have needs, too. Lewis and Clark Caverns near Three Forks needs a grounded lighting system to comply with Occupational Safety and Health Administration regulations. The estimated cost is \$2 million. Bannack State Park, west of Dillon, needs \$1.4 million to upgrade its fire alarm system.

"It's difficult for us as a park system to find monies for other improvements when we have those kinds of infrastructure needs at two other significant sites in the system," says Van Genderen.

The Legislature has asked the parks system to address its maintenance backlog. But Van Genderen says his office first

needs to understand the breadth and depth of the problems. Montana State Parks is currently taking bids for a statewide facilities condition inventory.

"Every agency says we need money," says Van Genderen. "We're going to come at this from a transparent, organized approach. It's not just us plucking numbers out of the air."

Staffing is another concern. With 83 FTE for the whole parks system, Van Genderen has assigned the same park manager to oversee Makoshika State Park near Glendive, Pirogue Island by Miles City, Medicine Rocks north of Ekalaka, and Brush Lake near Dagmar.

"The span of his responsibility is just too large," says Van Genderen.

The 2011 Legislature increased the parks' main revenue generator, an optional motor vehicle registration fee, by \$1.87 per vehicle. That helps. The higher fee brought in an additional \$1.2 million in FY 2013.

But there are still tough questions to ask.

With direction from the new State Parks and Recreation Board created by the 2013 Legislature, the parks system, which celebrates its 75th anniversary this year, has crafted a strategic plan to find answers.

"Overarchingly, from the park board what we heard was we have to focus on sustainable funding, strategic partnerships, and engaged constituents," says Van Genderen. "Across the park system, we have sites that are not significant or relevant by any number of arguments. . . . We as a system are just talking about all of those challenges. Which parks are most important and where do we put our resources? Our limited resources."

Van Genderen says nothing beyond day-to-day operations has been done at Madison Buffalo Jump in the last three to four years.

So how will the site ever get ahead? Van Genderen says it comes back to the strategic planning.

"We need sustainable funding to do all the good things we need to do in the park system," he says. "We need to find those strategic partners, like the Lee and Donna Metcalf Foundation, but we need more. And then we need citizens to get engaged."

"This isn't a unique discussion," he says. "Legislators hear this all the time. . . . If Madison Buffalo Jump is an important park in this system, and it's one of our 10 most significant archaeological sites in the state of Montana, the question of how we're going to pay for it and in what priority has to be answered."